

SENATE BILL REPORT

SB 6438

AS OF FEBRUARY 4, 1992

Brief Description: Providing scholarships to all resident school-age children.

SPONSORS: Senator Erwin

SENATE COMMITTEE ON EDUCATION

Staff: Leslie Goldstein (786-7424)

Hearing Dates: February 4, 1992

BACKGROUND:

Under current law, parents may send their children to public schools without charge. State funds are appropriated by the Legislature and allocated to local school districts by the Superintendent of Public Instruction. A parent who chooses to send his or her child to a private school does not receive any assistance from the state for the child's education at the private school. A number of parents find that they do not have the choice to send their children to a private school because they cannot afford the tuition at the private school.

SUMMARY:

Beginning with the 1993-94 school year, the state is required to provide a scholarship to every resident school age child. The scholarships are defined as grants of aid to the children and not to the schools in which the children are enrolled and are not taxable income. The scholarship is redeemable at any scholarship-redeeming school. Funds shall be disbursed monthly to the enrolling school for credit to the parent's account. Excess funds shall be held in trust for the child for future years and may be applied to a college education.

The amount of the scholarship is the per student state expenditure during the last fiscal year for every cost of maintaining a kindergarten, elementary and secondary education program. The value of the scholarship is the same for every child in a given grade. The Legislature has the discretion to appropriate supplemental funds to cover transportation costs for low-income students and additional costs for students with special needs due to a physical impairment or learning disability.

Private or public schools may become scholarship-redeeming schools. A private school becomes a scholarship-redeeming school by filing a statement with the Superintendent of Public Instruction stating that it has met the requirements of the laws governing private schools as of October 1, 1991; does not

discriminate on the basis of race, ethnicity, color, or national origin; and has not advocated unlawful behavior or taught hatred of any person or group on the basis of race, ethnicity, color, national origin, religion, or gender.

The Superintendent of Public Instruction may require each public and private scholarship-redeeming school to administer tests reflecting national standards. The composite results of the tests for each level are public information. The amount of turnover in each grade is also public information.

Laws shall be interpreted to give private schools maximum flexibility. The Legislature may not regulate private schools beyond the laws in place as of October 1, 1991, unless the laws pass with a three-fourths vote of the Legislature. Any local ordinance affecting private schools after October 1, 1991, in the areas of health, safety, or land use must be approved by a majority vote of the qualified electors within the jurisdiction. If the regulation is challenged, the governmental body has the burden of proof.

The Legislature may enact laws imposing criminal and civil penalties for fraud.

The Legislature shall establish a process for public schools to become independent scholarship-redeeming schools. The schools shall not be part of any school district and are defined as common public schools. The same laws and rules applying to private schools shall apply to public independent scholarship-redeeming schools and the schools shall be funded solely through scholarship redemptions. Employees retain the same state-funded pension and health benefits. Public scholarship-redeeming schools shall permit any student in the state to enroll.

Each scholarship-redeeming school may establish a code of conduct. A student may be dismissed who is not receiving substantial academic benefit or is responsible for serious or habitual misconduct.

Any action contesting the validity of the legislation must be begun within six months after the effective date of the legislation.

Appropriation: none

Revenue: none

Fiscal Note: requested February 4, 1992